

AN ACT concerning fish.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Fish and Aquatic Life Code is amended by changing Section 5-25 as follows:

(515 ILCS 5/5-25) (from Ch. 56, par. 5-25)

Sec. 5-25. Value of protected species; violations.

(a) Any person who, for profit or commercial purposes, knowingly captures or kills, possesses, offers for sale, sells, offers to barter, barter, offers to purchase, purchases, delivers for shipment, ships, exports, imports, causes to be shipped, exported, or imported, delivers for transportation, transports or causes to be transported, carries or causes to be carried, or receives for shipment, transportation, carriage, or export any aquatic life, or parts thereof, ~~in part or in whole of any of the species protected by this Code,~~ contrary to the provisions of the Code or administrative rule, and that aquatic life, in whole or in part, is valued at or in excess of a total of \$300, as per species value specified in subsection (c) of this Section, commits a Class 3 felony.

A person is guilty of a Class 4 felony if convicted under this Section for more than one violation within a 90-day

period if the aquatic life involved in each violation are not valued at or in excess of \$300 but the total value of the aquatic life involved with the multiple violations is at or in excess of \$300. The prosecution for a Class 4 felony for these multiple violations must be alleged in a single charge or indictment and brought in a single prosecution.

Any person who violates this subsection (a) when the total value of species is less than \$300 commits a Class A misdemeanor except as otherwise provided.

(b) Possession of aquatic life, in whole or in part, captured or killed in violation of this Code, valued at or in excess of \$600, as per species value specified in subsection (c) of this Section, shall be considered prima facie evidence of possession for profit or commercial purposes.

(c) For purposes of this Section, the fair market value or replacement cost, whichever is greater, must be used to determine the value of the species ~~protected by this Code~~, but in no case shall the minimum value of all aquatic life and their hybrids ~~protected by this Code~~, whether dressed or not dressed, be less than the following:

(1) For each muskellunge, northern pike, walleye, striped bass, sauger, largemouth bass, smallmouth bass, spotted bass, trout (all species), salmon (all species other than chinook caught from August 1 through December 31), bowfin, paddlefish, and sturgeon (other than pallid or lake sturgeon) of a weight, dressed or not dressed, of

one pound or more, \$4 for each pound or fraction of a pound. For each individual fish with a dressed or not dressed weight of less than one pound, \$4. For parts of fish processed past the dressed state, \$8 per pound.

(2) For each warmouth, rock bass, white bass, yellow bass, sunfish (all species except largemouth, smallmouth, and spotted bass), bluegill, crappie, bullheads, pickerels, yellow perch, catfish (all species), and mussels of a weight, dressed or not dressed, of one pound or more, \$4 for each pound or fraction of a pound of aquatic life. For each individual aquatic life with a dressed or not dressed weight of less than one pound, \$4. For aquatic life parts processed past the dressed state, \$8 per pound.

(3) (Blank).

(4) (Blank).

(5) For goldeye, mooneye, carp, carpsuckers (all species), suckers (all species), redhorse (all species), buffalo (all species), freshwater drum, skipjack, shad (all species), alewife, smelt, gar, ~~bowfin~~, chinook salmon caught from August 1 through December 31, and all other aquatic life ~~protected by this Code~~, not listed in paragraphs (1), (2), or (5) of subsection (c) of this Section, \$1 per pound, in part or in whole.

(6) For each species listed on the federal or State endangered and threatened species list, and for lake and

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pallid sturgeon, \$150 per animal in whole or in part.

(Source: P.A. 98-752, eff. 1-1-15.)